

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL

CLARKE COUNTY DEVELOPMENT)
CORPORATION,) CASE NUMBER: _____
)
 Plaintiff,)
)
) NOTICE OF REMOVAL
 v.)
)
)
 AFFINITY GAMING, LLC, and)
 HGI-LAKESIDE, LLC,)
)
 Defendants.)

COMES NOW the Defendants by and through their counsel and for their Notice of Removal state the following:

1. Defendants desire to exercise their rights under the provisions of Title 28 U.S.C. Sec. 1441, *et seq.*, to remove this action from the Iowa District Court for Clarke County, Iowa, where this action is now pending under the above caption and bearing Case No. LACV 011900.
2. This is an action in which the District Court of the United States have been given original jurisdiction upon each of the following bases:
 - a. Jurisdiction is proper under Title 28 U.S.C. Sec. 1332. Plaintiff's Petition acknowledges that the suit involves citizens of different states with the Defendants both being citizens of a foreign state. (*See* Plaintiff's Petition at Law which is being filed with this Notice of Removal pursuant to LR 81(a)(1) and incorporated herein by reference). Moreover, the amount in controversy, as alleged in Plaintiff's Petition, is in excess of \$75,000

3. Pursuant to Title 28 U.S.C. Sec. 1446(d), a copy of this Notice of Removal is being provided to the Plaintiff through its attorney of record and to the Iowa District Court for Clarke County, Iowa.
4. Pursuant to LR 81, Defendants have filed with this Notice of Removal a copy of all process, pleading and orders filed in the state court action, a list of all matters pending in the state court with the papers relating to the matters electronically attached, and the names of counsel that have appeared in the state court with their office address, telephone numbers, facsimile numbers and e-mail addresses. Defendants will further file a disclosure statement pursuant to LR 7.1.c within 21 days of filing this Notice of Removal.
5. Defendants reserve the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendants hereby remove this action now pending against them in the Iowa District Court for Clarke County, Iowa to this Court.

Respectfully Submitted by:



Jerry Crawford AT0001697
Nick Mauro AT0005007
CRAWFORD & MAURO LAW FIRM
1701 Ruan Center, 666 Grand Avenue
Des Moines, IA 50309
(515) 245-5420
(515) 245-5421 (FAX)
crawford@crawfordlawfirm.com
mauro@crawfordlawfirm.com

/s/ Jim Quilty

Jim Quilty AT0006455

QUILTY LAW FIRM

699 Walnut Street, 4th Floor

Des Moines, Iowa 50309

515-661-6338

515-724-5801 (FAX)

quiltyclf@aol.com

ATTORNEYS FOR DEFENDANTS

Original filed.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 14, 2013, I electronically filed the foregoing with the Clerk of Court using the ECF system and that a true copy of this document will be served electronically through the Court's ECF filing system upon the following on January 18, 2013:

Douglas Gross

Rachel Rowley

Jonathan Gallagher

Brown, Winick, Graves, Gross, Baskerville and Schoenbaum, P.L.C.,
666 Grand Avenue, Suite 2000, Des Moines, IA 50309.

gross@brownwinick.com

rowley@brownwinick.com

gallagher@brownwinick.com.

COUNSEL FOR PLAINTIFF

QUILTY LAW FIRM

By: /s/ Jim Quilty

Jim Quilty AT0006455

QUILTY LAW FIRM

699 Walnut Street, 4th Floor

Des Moines, Iowa 50309

515-661-6338

515-724-5801 (FAX)

quiltyclf@aol.com

ATTORNEYS FOR DEFENDANTS